

STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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JAN 24 2005
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**PETITION OF THE CITY OF EAST CHICAGO
FOR AUTHORITY TO INCREASE RATES AND
CHARGES FOR WATER SERVICE, FOR
APPROVAL OF A NEW SCHEDULE OF RATES
AND CHARGES APPLICABLE THERETO, AND
FOR AUTHORITY TO ISSUE BONDS, NOTES OR
OTHER OBLIGATIONS**

INDIANA UTILITY
REGULATORY COMMISSION
CAUSE NO. 42680

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission" or "IURC") has caused the following entry to be made:

On January 12, 2005, in response to a request by the City of East Chicago ("Petitioner"), the Presiding Officers issued a Docket Entry scheduling an Attorneys' Conference in this Cause for January 24, 2005, at 1:30 p.m. EST in Room E306 of the Indiana Government Center South, Indianapolis, Indiana.

Petitioner appeared by counsel, Nicholas Kile. The Office of Utility Consumer Counselor ("OUCC") also appeared by counsel, Daniel LeVay. Present on behalf of IURC advisory staff were Chris Lewis, Keith Robinson, and Shawn Kelly.

Counsel for the Petitioner advised the Presiding Officers that it had retained a new financial advisor, Ted Sommer of London Witte, and that Mr. Sommer was prepared to commence his financial review for the requested rate increase. However, Mr. Kile noted that Mr. Sommer likely would not be able to prefile his testimony until the next eight to twelve weeks at the earliest. Additionally, Petitioner's counsel represented that he would need an opportunity to consult with the new Mayor of East Chicago and discuss the rate request with the City's Waterworks Board before Mr. Sommer would be able to file testimony with a specific rate request.

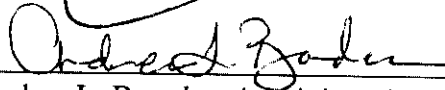
The parties discussed the current test year as established by the September 29, 2004, Prehearing Conference Order. The parties agreed that the test year would need to be updated to reflect the delayed filing schedule, and the Presiding Officers directed the parties to prepare their testimony according to a test year ending December 31, 2004. As counsel for Petitioner was unprepared to submit dates for an adjusted procedural schedule, the Presiding Officers directed the parties to return for a subsequent Attorneys' Conference on February 28, 2005, at 10:00 a.m. EST in Room E306 of the Indiana Government Center South, Indianapolis, Indiana.

We note that during the pendency of this Cause Petitioner has filed a number of pleadings: *Motion for Relief From Terms of the Prehearing Conference Order* filed October 21, 2004; *Petitioner's Verified Motion for Establishment of Procedures to Protect Against Disclosure of Confidential Information* filed October 21, 2004; and *Motion to Hold Procedural Schedule in Abeyance* filed December 10, 2004. Given Petitioner's representations during the January 24, 2005, Attorneys' Conference that Petitioner intended to file a brand new case-in-chief and would not offer the case-in-chief previously filed with the Commission on October 21, 2004, thereby obviating any present need for confidential procedures, and given that the parties will return on February 28, 2005, to schedule a new procedural schedule, we find that the pleadings referenced herein are moot and require no further action by the Presiding Officers. We also find that the evidentiary hearing in this Cause previously scheduled for February 3, 2005, at 9:30 EST in Room E306 of the Indiana Government Center South, Indianapolis, Indiana, should be and hereby is, vacated.

IT IS SO ORDERED.



David E. Ziegner, Commissioner



Andrea L. Brandes, Administrative Law Judge

Dated: January 24, 2005